

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA)	8:06MJ79 (D. Nebr.)
Plaintiff,)	1:05-CR-109 (M.D. Penn.)
v.)	406CR154 (E.D. Texas)
DAVID MICHAEL O'LEARY,)	
Defendant.)	Magistrate Judge Thalken

RULE 5 ORDER

A Petition for Warrant or Summons for Offender Under Supervision having been filed in the district court for the Middle District of Pennsylvania charging the above-named defendant with violation of conditions of supervised release and the defendant having been arrested in the District of Nebraska, proceedings to commit defendant to another district were held in accordance with Fed.R.Cr.P.5. The defendant had an initial appearance here in accordance with Fed.R.Cr.P.5 and was informed of the provisions of Fed.R.Cr.P.20. Additionally, defendant

- (X) Waived an identity hearing and admitted that he was the person named in the aforementioned charging document.
- (X) Requested a preliminary examination be held in the Eastern District of Texas.
- (X) The government moved for detention.
- (X) Was given a detention hearing in this district.

Accordingly, it is ordered that the defendant is held to answer in the Eastern District of Texas.

- (X) Defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. and the U.S. Marshal is commanded to take custody of the above named defendant and to transport the defendant with a certified copy of this order forthwith to the Eastern District of Texas and there deliver the defendant to the U.S. Marshal for that district or to some other officer authorized to receive the defendant, all proceedings required by Fed.R.Cr.P.5 having been completed.

IT IS SO ORDERED.

DATED in Omaha, Nebraska this 12th day of June, 2006.

s/ Thomas D. Thalken
U.S. Magistrate Judge